

PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision) Send completed form to: MS 313(c) Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/608,713
	Filing Date	June 26, 2003
	First Named Inventor	Shinya SAKURADA
	Art Unit	2837
	Examiner Name	Jeffrey Donels
	Attorney Docket Number	393032038500

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f)), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees).

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 03-1952 :

☒ Petition fee under 37 CFR 1.17(f), (g) or (h) ☒ Any deficiency of fees and credit of any overpayments

Enclosed is a duplicate copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

§ 1.53(e) – to accord a filing date.

§ 1.57(a) – to accord a filing date.

§ 1.182 – for decision on a question not specifically provided for.

§ 1.183 – to suspend the rules.

§ 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 – for access to an assignment record.

§ 1.14 – for access to an application.

§ 1.47 – for filing by other than all the inventors or a person not the inventor.

§ 1.59 – for expungement of information.

§ 1.103(a) – to suspend action in an application.

§ 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 – for review of refusal to publish a statutory invention registration.

§ 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.

§ 1.956 – for patent owner requests for extension of time in inter partes reexamination proceedings.

§ 5.12 – for expedited handling of a foreign filing license.

§ 5.15 – for changing the scope of a license.

§ 5.25 – for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) – to request documents in a form other than that provided in this part.

§ 1.84 – for accepting color drawings or photographs.

§ 1.91 – for entry of a model or exhibit.

§ 1.102(d) – to make an application special.

§ 1.138(c) – to expressly abandon an application to avoid publication.

§ 1.313 – to withdraw an application from issue.

§ 1.314 – to defer issuance of a patent.



Signature

June 8, 2006

Date

Mehran Arjomand

Typed or printed name

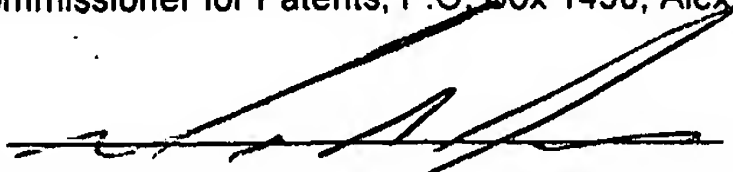
48,231

Registration No., if applicable

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV786079392US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 8, 2006

Signature:

 (Marco Jimenez)

DAS zfw

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Dated: June 8, 2006

Signature:

(Marco Jimenez)

Docket No.: 393032038500
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Shinya SAKURADA

Allowed: March 6, 2006

Application No.: 10/608,713

Confirmation No.: 6914

Filed: June 26, 2003

Art Unit: 2837

For: AUTOMATIC PERFORMANCE APPARATUS

Examiner: J. Donels

**PETITION TO WITHDRAW APPLICATION FROM
ISSUE PURSUANT TO 37 CFR 1.313(c)(2)**

MS 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner hereby petitions the Commissioner to withdraw the above-identified application from issue. The Issue Fee in this application was timely submitted to the Patent Office on May 19, 2006.

Please charge our Deposit Account No. 03-1952 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h).

On May 10, 2006, an office action citing references was mailed in connection with a related Japanese application. Accordingly, Petitioner requests withdrawal from issue to file an Information Disclosure Statement (IDS) pursuant to 37 C.F.R. § 1.97 and § 1.98 with a Request for Continued Examination (RCE). The IDS and RCE are enclosed with this petition.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this

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application by this firm) to our Deposit Account No. 03-1952, under Docket No. 393032038500. A duplicate copy of this paper is enclosed.

Dated: June 8, 2006

Respectfully submitted,

By 
Mehran Arjomand

Registration No.: 48,231
MORRISON & FOERSTER LLP
555 West Fifth Street
Los Angeles, California 90013-1024
(213) 892-5630